

# PLANNING COMMISSION AGENDA REPORT

**MEETING DATE: JULY 28, 2008** 

SUBJECT:

PARCEL MAP PM-08-122

178 and 180 EAST 19TH STREET

DATE:

**JULY 17. 2008** 

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

#### **DESCRIPTION**

The applicant is requesting approval of a parcel map to allow a previously approved fourunit condominium project to be sold as individual units. Since there is an outstanding Code Enforcement case on the property for illegal storage, Planning Commission continued this application from the June 23, 2008, meeting to allow the applicant time to address the Code violation prior to Commission action on the parcel map.

#### **APPLICANT**

J.P. Kapp is the authorized agent for Newport Balboa Partners, Inc.

### RECOMMENDATION

Although progress has been made in site cleanup, not all illegal storage has been removed as of the writing of this report. If the site is not cleared before the meeting date, staff recommends the Commission continue this application to the August 11, 2008. meeting.

Should the site be cleared prior to the meeting date, staff recommends the Commission approve the application by adoption of the resolution, subject to conditions. The original staff report for June 23, 2008, meeting date is attached for reference.

Associate Planner

Asst. Development Services Director

Attachments: Planning Commission Agenda Report for June 23, 2008

Draft Approval Resolution and Exhibits Draft Denial Resolution and Exhibits

Zoning/Location Map Parcel Map No. 2008-122 Staff Report PA-07-37

Plans

cc: Deputy City Manager - Dev. Svs. Director

**Deputy City Attorney** 

City Engineer

Fire Protection Analyst

Staff (4) File (2)

J.P. Kapp

19652 Highridge Way

Trabuco Canyon, CA 92679

Newport Balboa Partners, Inc. c/o John Snedgeger 31151 Ceanothus Drive Laguna Beach, CA 92651

File: 072808PM08122	Date: 071708	Time: 10:00 a.m.



# PLANNING COMMISSION AGENDA REPORT

以.4

MEETING DATE: JUNE 23, 2008

ITEM NUMBER:

SUBJECT: PARCEL MAP PM-08-122

178 and 180 EAST 19TH STREET

DATE:

**JUNE 12, 2008** 

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

#### **DESCRIPTION**

The applicant is requesting approval of a parcel map to allow a previously approved fourunit condominium project to be sold as individual units.

### **APPLICANT**

J.P. Kapp is the authorized agent for Newport Balboa Partners, Inc.

# **RECOMMENDATION**

Associate Planner

Approve by adoption of Planning Commission resolution, subject to conditions.

KIMBERLY BRANDT, AICP

Asst. Development Services Director

#### **BACKGROUND/ANALYSIS**

The site consists of two parcels located in the Eastside, in an area developed with a mix of single- and multiple-family residences. The lots each contained a single-family residence, which have been demolished.

On November 26, 2007, Planning Commission approved Planning Application PA-07-37 for the construction of a four-unit, two-story condominium development. The map will allow the individual units to be sold independent of one another. The map complies with City Codes and the State Subdivision Map Act.

The staff report and plans for the condominium project are attached for reference.

#### **GENERAL PLAN CONSISTENCY**

The proposed subdivision affects only how the units are sold; as a result, there will be no effect on the City's General Plan.

#### **ALTERNATIVES**

If the parcel map is denied, the individual units could not be sold independent of one another and could only be used as rentals. The applicant would not be able to file a similar request for six months.

# **ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15315 for Minor Land Divisions.

#### CONCLUSION

Approval of the parcel map will facilitate the ownership of the units as approved by the Commission under Planning Application PA-07-37. The map is in compliance with the requirements of the City's Zoning code, State's Subdivision Map Act, and Planning Application PA-07-37.

Attachments: Draft Approval Resolution and Exhibits

**Draft Denial Resolution and Exhibits** 

Zoning/Location Map Parcel Map No. 2008-122 Staff Report PA-07-37

Plans

cc: Deputy City Manager - Dev. Svs. Director

**Deputy City Attorney** 

City Engineer

Fire Protection Analyst

Staff (4) File (2)

J.P. Kapp 19652 Highridge Way Trabuco Canyon, CA 92679

Newport Balboa Partners, Inc. c/o John Snedgeger 31151 Ceanothus Drive Laguna Beach, CA 92651

File: 062308PM08122 Date: 061208 Time: 11:00 a.m.

#### **RESOLUTION NO. PC-08-**

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PARCEL MAP PM-08-122

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by J.P. Kapp, authorized agent for Newport Balboa Partners, Inc., property owner with respect to the real property located at 178 and 180 East 19<sup>th</sup> Street, requesting approval of a parcel map to facilitate a residential common interest development previously approved under PA-07-37, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 23, 2008, and continued to July 28, 2008.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Parcel Map PM-08-122 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Parcel Map PM-08-122 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 28th day of July 2008.

Donn Hall, Chair Costa Mesa Planning Commission

STATE OF CALIFORNIA	)
	)ss
COUNTY OF ORANGE	)

I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on July 28, 2008, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa Planning Commission

#### **EXHIBIT "A"**

### FINDINGS (approval)

- A. The proposed airspace residential common interest subdivision is consistent with the City's General Plan and Zoning Ordinances.
- B. The subject property is physically suitable to accommodate PM-08-122 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- C. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- D. The subdivision and development of the property will not unreasonably interfere with the free and complete exercise of the public entry and/or public utility rightsof-way and/or easements within the tract.
- E. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- F. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA, under Section 15315 for Minor Land Divisions.
- G. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

#### **EXHIBIT "B"**

# **CONDITIONS OF APPROVAL (for map only)**

Plng. 1. The applicant is reminded that all conditions of approval, Code requirements, and special district requirements of Planning Application PA-07-37 shall be complied with.

#### **RESOLUTION NO. PC-08-**

# A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PARCEL MAP PM-08-122

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by J.P. Kapp, authorized agent for Newport Balboa Partners, Inc., property owner with respect to the real property located at 178 and 180 East 19<sup>th</sup> Street, requesting approval of a parcel map to facilitate a residential common interest development previously approved under PA-07-37, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 23, 2008, and continued to July 28, 2008.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Parcel Map PM-08-122 with respect to the property described above.

PASSED AND ADOPTED this 28th day of July 2008.

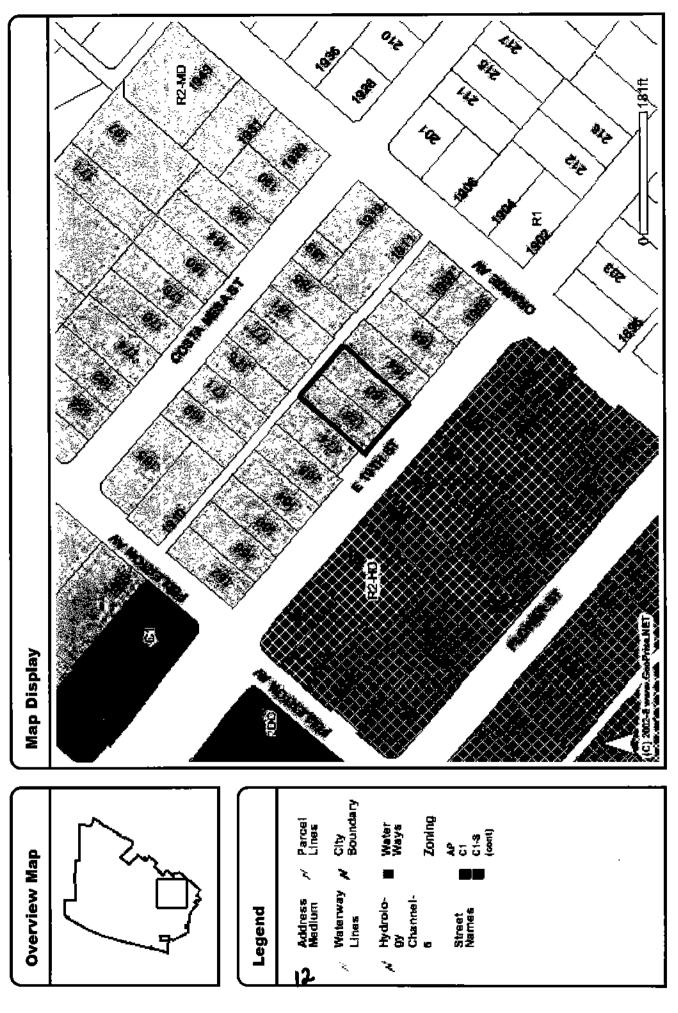
Donn Hall, Chair Costa Mesa Planning Commission

#### **EXHIBIT "A"**

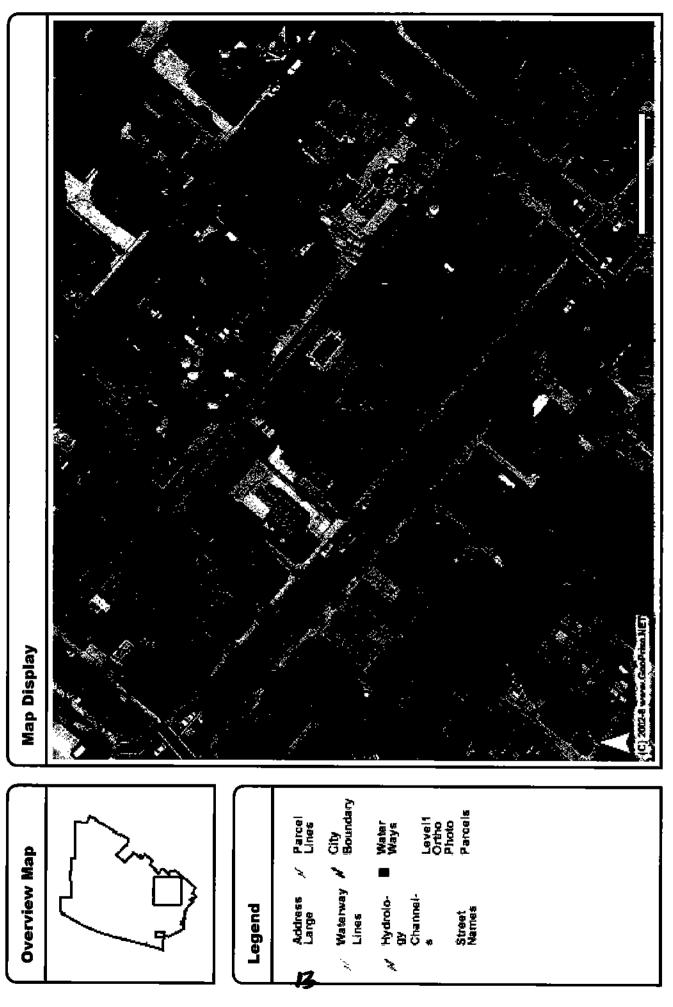
# FINDINGS (denial)

- A. The proposed airspace residential common interest subdivision is not consistent with the City's General Plan and Zoning Ordinances.
- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA, under Section 15315 for Minor Land Divisions.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

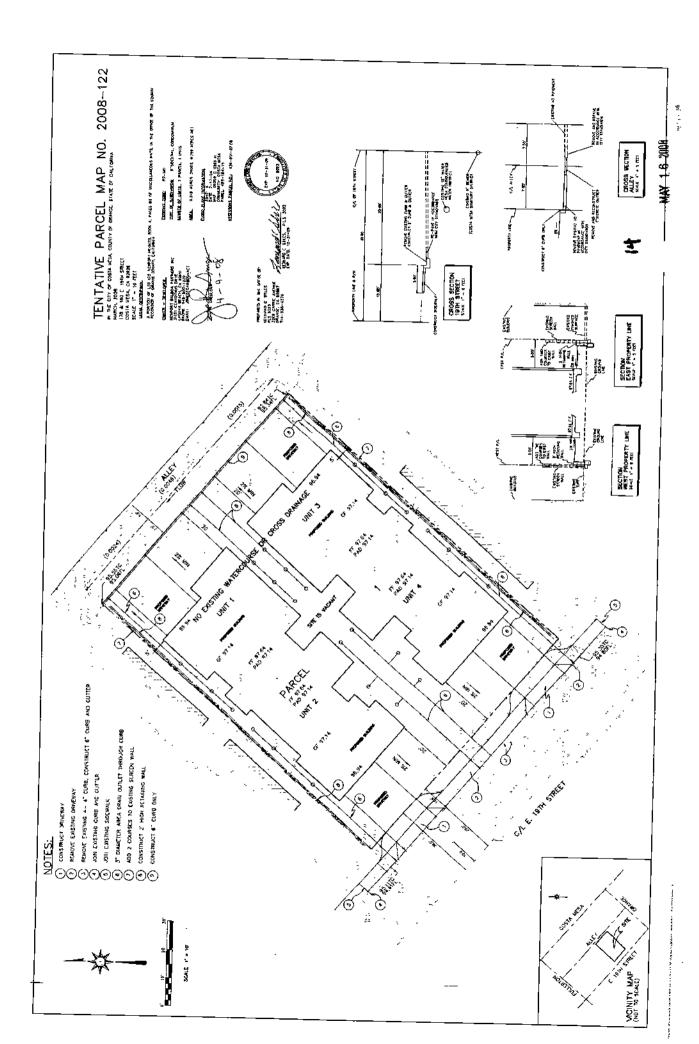
178-80 E. 19TH STREET - [Created: 6/4/2008 11:13:43 AM] [Scale: 181.03] [Page: 8.5 x 11 / Landscape]



178-80 E. 19TH STREET - [Created: 6/4/2008 11:12:29 AM] [Scale: 118.75] [Page: 8.5 x 11 / Landscape]



(C) 2002-8 GeoPrise.net (GeoVec, Inc.) - (888)422-2505





# PLANNING COMMISSION AGENDA REPORT

MEETING DATE: NOVEMBER 26, 2007

SUBJECT:

PLANNING APPLICATION PA-07-37

178 AND 180 EAST 19th STREET

DATE:

**NOVEMBER 15, 2007** 

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER (714)754-5611

#### DESCRIPTION

The applicant is requesting approval of a design review to construct a four-unit, twostory residential common interest development.

### **APPLICANT**

The applicant is American Timber Structures, representing the property owner, Newport Balboa Partners.

# RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

Senior Planner

Asst. Development Services Director

# PLANNING APPLICATION SUMMARY

Location: 178		•		, <b>t</b> ,		
Location: 178	8 and 180 E. 19 <sup>th</sup> Stree	t Application:	PA	-07-37		
Request: Designed Designed	gn review to constru lopment.	uct a four-unit, tw	vo-story residentia	common interes		
SUBJECT PROPERTY	<u>c</u>	SUR	ROUNDING PROPE	RIY:		
Zone:	R2-MD			<del></del>		
General Plan:	Medium Density Re	North	· Factorismish bit	xperties		
Lot Dimensions:	100 FT x 130 FT ( B	esidential South		y zoned		
Lot Area:	13,000 SF (Both					
Existing Development	Vacant (2 detached	residences were dem	residences. olished).			
	DEVELOPMENT S	TANDARD COMPAR	USON			
Development Standard	Require	d/Allowed	Proposed/F	rovided		
Lot Size (Both Lots):						
Lot Width						
Lot Area		)FT	100 F			
Density;	12,01	00 SF	13,000	8F		
Zone/General Plan	1 4.00 0	00 OF (1)	·			
Building Coverage (Both	1 (443,01	00 SF (1)	1 du/3,25	0 SF		
Buildings		/A				
Paving		/A	33% (5,90	2 SF)		
Open Space	Minimum 40°		27% (1,57			
TOTAL	100		40% (5,52			
Private Open Space:	Minimum 10 i		100% (13.0 10 FT dimension	(Front Units)		
Bullding Height:	2 stories	127 FT	19 FT dimension	(Rear Units)		
Ratio of 2 <sup>nd</sup> floor to 1 <sup>st</sup> flo	or (2): 80°		2 stones/2 Front Units	5 FT Reser Units		
Setbacks:			69%	71%		
Front.	20 F	<del>-1.                                    </del>	20 FT	<del></del>		
1 <sup>st</sup> Floor Side (left/right both lots)		\$FT	5 FT/5FT			
2 <sup>st</sup> Floor Side (2) (left/r both lots)		_	10 FT /10 FT			
Rear (1* floor/2** floor affey)	r – 10 FT (garage)/5	FT (2 <sup>nd</sup> Floor)	20 FT/25 FT			
'arking:				<del></del>		
Covered	8		8			
Open	8		В			
TOTAL	16 Spa	ices	16 space	S		
) Density is 1 du/3,000 SF ) Residential Design Guide	for legal lots that are less ti eline.	nan 7,260 SF but not les				
EQA Status Exemp	it, Class 3 (New Construc	tion	<del></del>			
	G Commission	<u> </u>				

# PROJECT DESCRIPTION

The subject properties are comprised of two parcels that each contained a detached single family residence, which have been demolished. The site is surrounded by residentially zoned properties. The applicant proposes to construct a four-unit residential common interest development (two units on each lot).

If the project is approved, a parcel map to facilitate the project will be required to be processed and recorded before issuance of a building permit for the units.

#### **ANALYSIS**

New residential common interest development projects are subject to a design review, which requires Planning Commission consideration. This allows review of the structures' scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and the second story be set back an average of 10 feet from the side property lines. The proposed project complies with these requirements. The building design incorporates variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from off-site.

Staff has conducted a field inspection and is of the opinion that the proposed development would not negatively impact the surrounding properties or aesthetics of the neighborhood. There are several 2-story residences in the area so it would not appear out of place or obtrusive. The second floor windows are also designed so as to minimize privacy impacts and direct views into windows on the adjacent properties.

# **GENERAL PLAN CONFORMITY**

The property has a General Plan designation of Medium Density Residential. Under this designation two dwelling unit are allowed on each parcel, therefore, the proposal is consistent with the use and density allowed by the City's General Plan. Approval of the project as a residential common interest development will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.

# **ALTERNATIVES**

If the planning application is approved, it would allow the construction of the project as proposed.

If the application is denied, the project could not be built as proposed. The applicant could not submit substantially the same type of project for six months.

# **ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction.

#### CONCLUSION

The proposed development satisfies all applicable Code requirements and the intent of the residential design guidelines.

Attachments:

Draft Planning Commission Resolution

Exhibit "A" - Draft Findings

Exhibit "B" - Draft Conditions of Approval

Zoning/Location Map

Plans

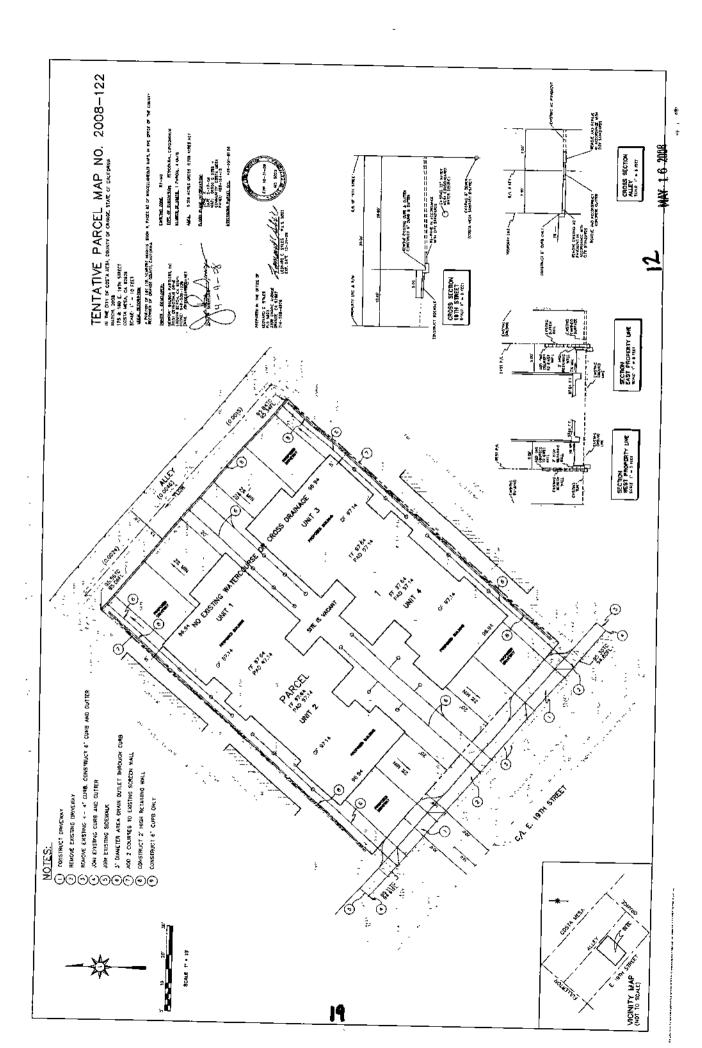
Deputy City Mgr.-Dev. Svs. Director Deputy City Attorney City Engineer Fire Protection Analyst Staff (4)

File (2)

American Timber Structures 27111 Aliso Creek Road, Suite 150 Aliso Viejo, CA 92656

Newport Balboa Partners 23411 Aliso Creek Road, Suite K Aliso Viejo, CA 92656

File: 112607PA0737 Date: 111507	Time: 2:30 p.m.
---------------------------------	-----------------

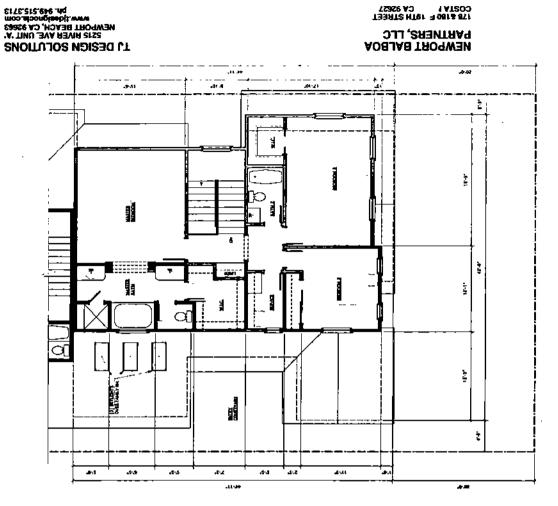


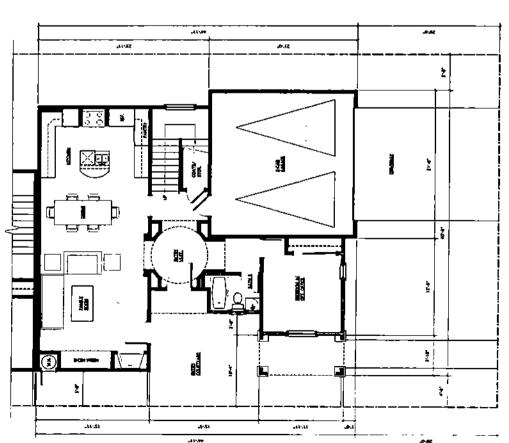
#### TJ DESIGN SOLUTIONS

|--|

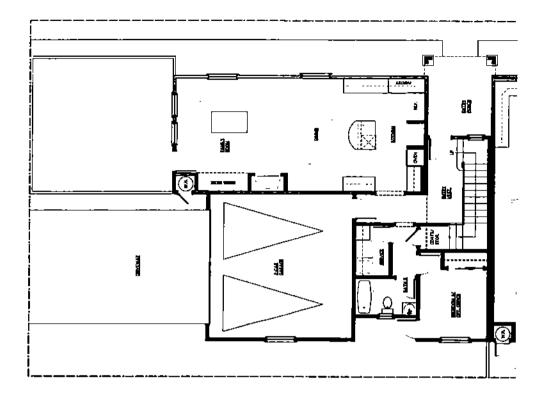
			ł	<del> </del>			.2°-4	or.				1938		
				4.52	<u> </u>									
					-J.12	3.5	3-01	20-34	ara i	1, A	grat	\ \		_
	1	1		} !		3 3		2 🕏		· H				
								*	ACORD		Gent van		J-42	
	*25	$\  \ $	<b>1</b>			<b>3</b>		,			SALES AND		.0-31	
			+	ļ 	J		<u> </u>				·—·-	 	Į.	- 1911
	ğ,		1	<u></u>	<del></del>		7			amminan		- - -	42	A51 184
				<u> </u>			1				i i		26.00	
	8							1	94				.+.12	
200 (100) (100) (100) (100) (100)		1		<del> </del>				1 5	1	<u> </u>				
\$150 and 1500 and 355 and and	+	<del>-    </del>				Ţ	<u> </u>			<u> </u>	אלעני			•
				جهند	510.	.5-8	JS CB-1	16-0.	3-51	Ja-41		†		

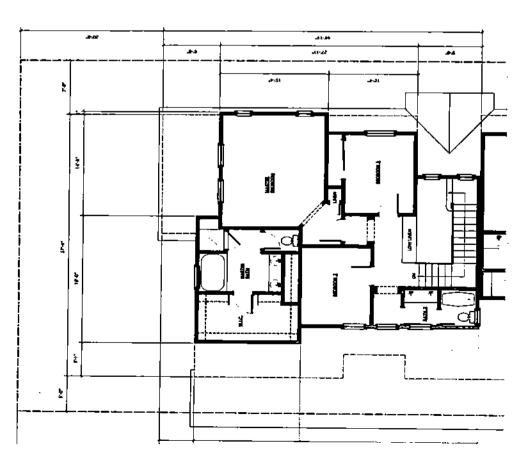


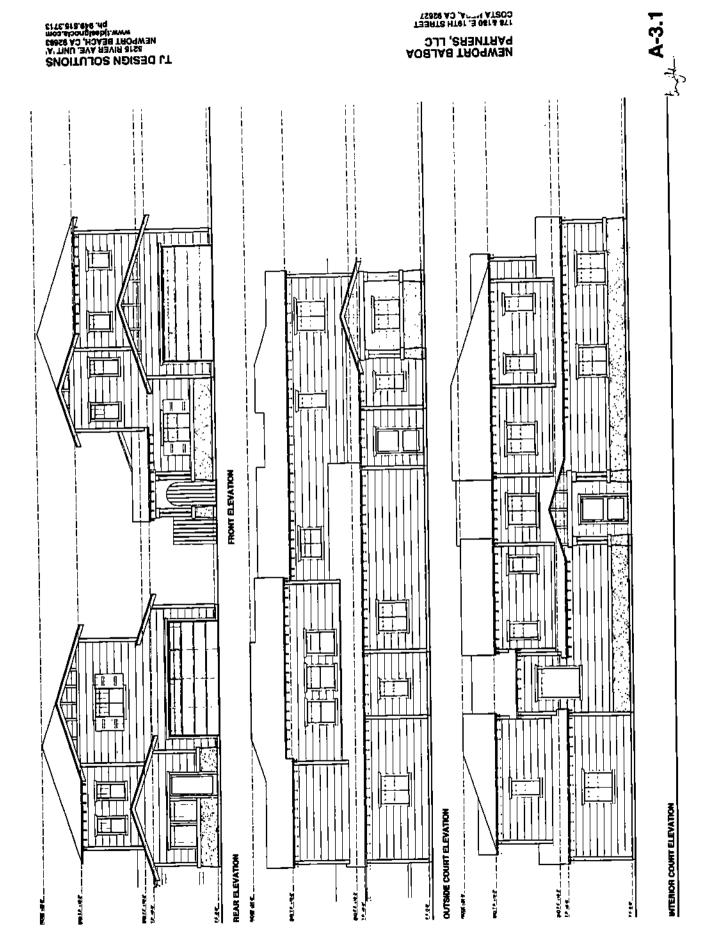


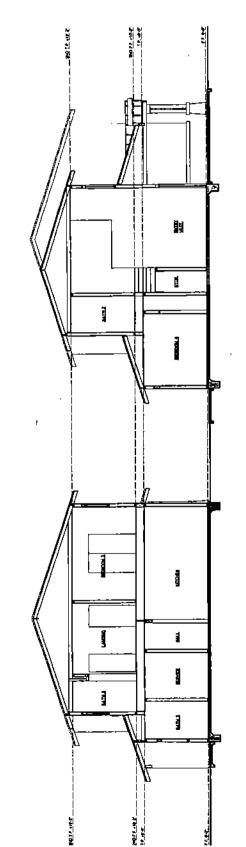












T) DESIGN SOFUTIONS

T) DESIGN SOFUTIONS

闄

**ВЕСТОИ ТЖО**